

1 Hon. Richard A. Jones  
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10 UNITED STATES DISTRICT COURT  
11 WESTERN DISTRICT OF WASHINGTON  
12 AT SEATTLE

13 ABHIJIT BAGAL,  
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15 Plaintiff,

16 No. 2:23-cv-00721-RAJ

17 vs.  
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19 KSHAMA SAWANT, in her official and  
20 individual capacities, as Councilmember,  
21 Position 3, Seattle City Council; LISA  
22 HERBOLD, in her official and individual  
23 capacities, as Councilmember, District 1, of the  
Seattle City Council and BRUCE HARRELL,  
in his official and individual capacities, as the  
Mayor of the City of Seattle,

Defendants.

**DECLARATION OF  
KERALA T. COWART IN SUPPORT OF  
DEFENDANTS' MOTION TO DISMISS**

I, KERALA T. COWART, being familiar with the facts set forth herein based on my personal knowledge, and being competent to testify, hereby declare under penalty of perjury that the following is true and correct:

1. I am an Assistant City Attorney representing Defendants in the above-captioned matter.
2. Attached as **Exhibit A** is a true and correct copy of the City of Seattle's Anti Caste

1 Discrimination Ordinance, Ordinance No. 126767.

2 3. On July 21, 2023, I met and conferred by phone with the Plaintiff, pro se, in this matter, Mr.

3 Abhijit Bagal. I described the Court's meet-and-confer requirement. I described the legal

4 bases for Defendants' motion. I described the concept of standing (is the plaintiff the proper

5 party to bring the lawsuit) and the substance of Defendants' standing argument. I also

6 described the Defendants' substantive legal arguments as to Mr. Bagal's Fourteenth and

7 First Amendment claims and the standard to move for dismissal of for failure to state a

8 claim. Mr. Bagal indicated that he does not consent to the Defendants' motion to dismiss

9 and stated that he wants to proceed with this lawsuit.

10 I declare under penalty of perjury that the foregoing is true and correct.

11 DATED this 21st day of July, 2023 at Seattle, King County, Washington.

13 /s Kerala T. Cowart \_\_\_\_\_  
14 KERALA T. COWART